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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

(HONORABLE DANA M. SABRAW)

UNITED STATES OF AMERICA, Plaintiff, v. **EDUARDO GUERRERO, ET AL.** Defendant.	CASE NO.: 08CR1362-DMS-01 DATE: August 15, 2008 TIME: 11:00 a.m. NOTICE OF MOTION AND MOTION TO (1) SUPPRESS EVIDENCE; (2) CONDUCT AN EVIDENTIARY HEARING; AND (3) PRESERVE EVIDENCE

TO: KAREN P. HEWITT, UNITED STATES ATTORNEY, AND STEVEN D. DESALVO, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on August 15, 2008, at 11:00 a.m., or as soon thereafter as counsel may be heard, defendant, EDUARDO GUERRERO, by and through his attorneys, Hanni M. Fakhoury and Federal Defenders of San Diego, Inc., will ask this Court to enter an order granting the following motion.

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MOTIONS

Defendant, EDUARDO GUERRERO, by and through his attorneys, Hanni M. Fakhoury and Federal Defenders of San Diego, Inc., asks this Court pursuant to the United States Constitution, the Federal Rules of Criminal Procedure, and all other applicable statutes, case law, and local rules for an order to:

(1) Suppress Evidence;

(2) Conduct an Evidentiary Hearing; and

(3) Preserve Evidence.

These motions are based upon the instant motions and notice of motions, the attached statement of facts and memorandum of points and authorities, the files and records in the above-captioned matter, and any and all other materials that may come to this Court's attention prior to or during the hearing of these motions.

Respectfully submitted,

Dated: August 3, 2008

s/ Hanni M. Fakhoury
HANNI M. FAKHOURY
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Guerrero

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing pleading is true and accurate to the best of his information and belief, and that a copy of the foregoing document has been served this day upon:

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Respectfully submitted,

Dated: August 3, 2008

/s/ Hanni M. Fakhoury
HANNI M. FAKHOURY
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Guerrero